

May 16, 1978

**78-26 MEMORANDUM OPINION FOR THE
DIRECTOR, GENERAL GOVERNMENT
DIVISION, PRESIDENT'S REORGANIZATION
PROJECT**

**Reorganization Act—Reorganization Plan
Dealing With More Than One Logically
Consistent Subject Matter (5 U.S.C. § 905(a)(7))**

This responds to your request for our opinion concerning the interpretation to be given the phrase “dealing with more than one logically consistent subject matter” found in § 905(a)(7) of title 5. This limitation on the content of reorganization plans was first introduced in 1971, *see* 85 Stat. 576, in order to prevent the submission of plans which contain “a variety of miscellaneous actions, completely unrelated to one other. . . .” S. Rept. No. 485, 92d Cong., 1st sess. at 5 (1971); H. Rept. No. 146, 92d Cong., 1st sess. at 3 (1971). The legislative history of the 1977 version of the Reorganization Act sheds additional light on the question:

Logically consistent subject matter could include: a broad purpose of government such as Economic Development or Natural Resources; a series of similar programs in different agencies, such as Income Maintenance; all functions of a single agency; or crosscutting but identical functions, such as Administration, Budget, legal counsel, et cetera. [H. Rept. No. 105, 95th Cong., 1st sess. at 20 (1977)].

While this broad language may itself be indefinite, it provides at least some guidance concerning the phrase's intended meaning.

LEON ULMAN
*Deputy Assistant Attorney General
Office of Legal Counsel*